UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

NOV 2 7 2019

Ms. Brenda Osthus, Director
Environmental Health and Safety
University of Nebraska, Lincoln
3630 East Campus Loop
Lincoln, Nebraska 68583

RE: 40 CFR §761.61(c) and §761.79(h) Notice and Work Plan for Canfield Administration Building, Approval for University of Nebraska, Lincoln
EPA ID No. NED000766816

Dear Ms. Osthus:

The U.S. Environmental Protection Agency Region 7 has completed a review of the above referenced notice and request for approval of the risk-based cleanup, alternative decontamination and sampling, and disposal of polychlorinated biphenyl bulk product and remediation waste at the University of Nebraska, Lincoln Facility, EPA ID No. NED00766816. This notice and work plan were received on October 22, 2019, and were submitted in accordance with 40 CFR §761.61(c)(1), §761.61(a)(3) and §761.79(h)(1).

The notice, work plan and this approval address and are limited in scope to PCB-impacted building materials associated with the Canfield Administration Building South, located at 501 North 14th Street, in Lincoln, Nebraska. The above reference notice proposes the following cleanup activities:

1. The phased remediation of the Canfield building in two separate phases.

    a. The first phase will address PCB impacted building materials on the ground and first floors and is proposed to begin in Fall of 2019.

    b. The second phase will address PCB impacted building materials on the 2nd, 3rd and 4th floors and is proposed to begin in the Summer of 2020.

2. The designation of all exterior windows, above ground level windows, as low occupancy for purposes of establishing site specific cleanup levels and a contingency plan.

    a. The ground level exterior windows are to remain designated as high occupancy as defined in 40 CFR §761.3.

3. The use of site-specific cleanup levels as follows for remediation waste left in place:

    a. For high occupancy areas, or ground floor, the cleanup level, assessed by confirmation sampling, will be ≤1 ppm total PCBs on porous surfaces, and ≤10 µg/100 cm² for non-porous surfaces.

b. Low occupancy areas, or floors 1 through 4, the cleanup level, assessed by confirmatory sampling, will be ≤25 ppm total PCBs on porous surfaces, and ≤100 µg/100 cm² for non-porous materials.

i. Waste left in place with PCB concentrations above high occupancy, or unrestricted use levels require an institutional control, such as a deed notice or environmental covenant, further described below.

4. A contingency for the use of an engineered barrier for any PCB impacted building materials that are structurally integral but are not amenable to the decontamination and remediation proposed and fail to meet the above specified cleanup levels.

a. If confirmation sampling post decontamination and cleanup detect PCBs remaining on-site in excess of the site-specific cleanup levels, encapsulation with a dual coat, color contrasting, epoxy may be used.

b. If encapsulation, or another engineered barrier, is utilized:

i. Confirmation wipe samples of encapsulated surfaces will be collected prior to installation of new windows.

ii. A maintenance and monitoring plan will be submitted to the EPA for approval within 60 days of project completion.

iii. Encapsulated areas require an institutional control, such as a deed notice or environmental covenant, further described below.

5. The removal and off-site disposal of caulking/sealants, complete windows and window assembly materials with as found concentrations in excess of 50 ppm PCBs.

a. These materials are proposed to be managed and disposed of as PCB Bulk Product Waste in accordance with 40 CFR §761.62.

6. The alternative decontamination and confirmation sampling of any structurally integral materials to remain in place, such as the metal window headers or lintels and brick and limestone substrate.

a. Materials are proposed to be decontaminated in accordance with 40 CFR §761.79(b)(3)(i) to the above specified cleanup levels.

b. A representative sampling methodology, alternative to 40 CFR §761 Subpart P, has been proposed and is described in sections 3.4 and 3.5 of the referenced notice and work plan.

c. The contingency for any porous materials not amenable to decontamination or failing to meet the above cleanup levels, includes encapsulation as specified above.

The EPA hereby finds that the proposed PCB remediation, decontamination, and sampling activities will not pose an unreasonable risk of injury to health or the environment and approves the work plan with the following conditions:

1. Encapsulation is not suitable and may not be used for any surfaces with remaining PCB concentrations above 300 ppm.

2. A PCB Cleanup Completion Report shall be submitted within 60 days of project completion and minimally contain the following: executive summary, extent of PCB impacts site wide, description of any encapsulation products, activities, or contingencies used, quantity of PCB wastes removed, sampling summary and to scale maps of waste left in place, waste profiles and manifests for all PCB and cleanup waste disposed off-site, all cleanup verification sampling and lab results, summary of equipment decontamination, summary of any PCB air monitoring and dust suppression activities conducted during remediation.

3. Any modifications, additions or deviations from the work plan must be submitted to the EPA Regional PCB Coordinator for review and approval prior to implementation or as soon as practical in cases of emergency.

4. Recorded instruments shall be submitted to the EPA for approval prior to filing, within 60 days of project completion, and in accordance with 40 CFR §761.61(a)(8) as follows.

    a. (8) *Deed restrictions for caps, fences and low occupancy areas.* When a cleanup activity conducted under this section includes the use of a fence or a cap, the owner of the site must maintain the fence or cap in perpetuity. In addition, whenever a cap, or the procedures and requirements for a low occupancy area, is used, the owner of the site must meet the following conditions:

(i) Within 60 days of completion of a cleanup activity under this section, the owner of the property shall:

(A) Record, in accordance with state law, a notation on the deed to the property, or on some other instrument which is normally examined during a title search, that will in perpetuity notify any potential purchaser of the property:

That the land has been used for PCB remediation waste disposal and is restricted to use as a low occupancy area as defined in 40 CFR §761.3.

Of the existence of the fence or cap and the requirement to maintain the fence or cap.

The applicable cleanup levels left at the site, inside the fence, and/or under the cap.

(B) Submit a certification, signed by the owner, that he/she has recorded the notation specified in paragraph (a)(8)(i)(A) of this section to the EPA Regional Administrator.

(ii) The owner of a site being cleaned up under this section may remove a fence or cap after conducting additional cleanup activities and achieving cleanup levels, specified in paragraph (a)(4) of this section, which do not require a cap or fence. The owner may remove the notice on the deed no earlier than 30 days after achieving the cleanup levels specified in this section that do not require a fence or cap.

5. The EPA may request additional information be included in the PCB cleanup completion report, and if deemed insufficient for future protection, the EPA may also request additional restrictions be placed on the property.

6. Upon review and approval of the PCB Completion Report the EPA will issue a written statement that will serve as the completion and termination of this approval.

The EPA encourages the compliance with greener cleanup practices for all cleanup projects and recommends adherence to the ASTM Standard Guide to Greener Cleanups E2893-13 for work conducted under this approval and the notification referenced above. Greener cleanups are the practice of integrating options that minimize the environmental impacts of cleanup actions in order to incorporate practices that maximize environmental and human benefit. The EPA encourages you to review the Guide and implement any practices that are feasible. If implemented, the PCB completion report should include a section on BMP Documentation, as described in Section 6.6.5 of the Guide.

If you have any questions, please contact Annah Murray, the Regional PCB Coordinator, by phone at (913) 551-7895 or by email at murray.annah@epa.gov.

Sincerely,

DeAndré Singletary
Director
Land, Chemical & Redevelopment Division